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08/08/01
J1042 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-67209-6/RMS/DCF

Anticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner: H. Ngo
Art Unit: 2874

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DATE OF DEPOSIT 8/8/01

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TYPED NAME Darryl Kringer

SIGNED

J0857 U.S. PTO
09/25/2002
10/08/00

Box PATENT APPLICATION FEE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of David R. WALT and Karri Lynn MICHAEL, for
TARGET ANALYTE SENSORS UTILIZING MICROSPHERES.

1. (a) ☐ Enclosed is a new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
(b) ☒ Enclosed is a copy of the prior executed Declaration as originally filed.
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.

3. (a) ☐ Enclosed is a Small Entity Affidavit.
 (b) ☒ A Small Entity Affidavit is of record in the prior application.

4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col.2)	<u>SMALL ENTITY</u>			<u>OTHER THAN A SMALL ENTITY</u>	
For:	<u>No. Filed</u>	<u>No. Extra</u>	<u>Rate</u>	<u>Fee</u>	<u>Or</u>	<u>Rate</u>	<u>Fee</u>
Basic Fee				\$355.00			\$710.00
Total Claims	<u>23</u> - 20 =	<u>3</u>	<u>3</u> x 9 =	\$ <u>27.00</u>	OR	<u> </u> x \$18 =	\$ <u> </u>
Indep Claims	<u>3</u> - 3 =	<u>0</u>	<u> </u> x 40 =	\$ <u> </u>	OR	<u> </u> x \$80 =	\$ <u> </u>
[] Multiple Dependent Claims			+ \$135 =	\$ <u> </u>	OR	+ \$270 =	\$ <u> </u>
Total				<u>\$382.00</u>			\$ <u> </u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

5. ☒ No check is enclosed.
6. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-67209-6/RMS/DCF).
7. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by replacing the first sentence/paragraph with the following sentence/paragraph:

--This is a continuation of U.S. Application Serial No. 09/151,877, filed September 11, 1998; which is a continuation-in-part of U.S. Application Serial No. 08/818,199, filed March 14, 1997, now U.S. Patent No. 6,023,540.

9. (a) X Informal drawings are enclosed, 10 sheets.
(b) Formal drawings are enclosed, sheets.
10. (a) X Claims benefit of U.S. Application Serial Nos. 09/151,877, filed September 11, 1998 and 08/818,199, filed March 14, 1997.
(b) The certified copy has been filed in prior application Serial No. filed on .
11. (a) An Assignment is enclosed.
(b) X Enclosed is a copy of the prior assignment as originally filed.
12. X The prior application is assigned of record to Trustees of Tufts College.

13. A Power of Attorney by Assignee is enclosed.

14. X The power of attorney in the prior application is to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT, LLP

- (a) X The power appears in the original papers in the prior application.
(b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
(c) X Address all future communications to:

Robin M. Silva, Esq.

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

15. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
16. A Prior Art Statement is enclosed.

17. X I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/151,877 as originally filed on September 11, 1998.

Date: August 8, 2001

David C. Foster
David C. Foster, Reg. No. 44,685
Patent Agent for
Robin M. Silva, Reg. No. 38,304

Address of Signer:

Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: 415-781-1989

X Attorney or agent of record

 Filed under Section 1.34(a)

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